

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ERIK F.,

No. 1:19-cv-00778-HZ

Plaintiff,

ORDER

v.

COMMISSIONER, SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

HERNÁNDEZ, District Judge:

Plaintiff Erik F. brought this action seeking review of the Commissioner's final decision to deny Supplemental Security Income. On July 22, 2020, the Court reversed the Commissioner's decision and ordered that the case be remanded for additional proceedings. Order, ECF 13. Judgment was also entered on July 22, 2020. ECF 14. On July 29, 2021, Plaintiff's counsel received notice of Plaintiff's award for benefits. Pl. Mot. Ex. 1, ECF 18-1.

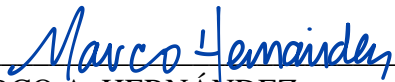
Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 18. Defendant has no objection to the request. *Id.* The Court has reviewed the record in the case, the

motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

The Court GRANTS the motion [18] and awards Plaintiff's counsel \$9,447.69 in attorney's fees under 42 U.S.C. § 406(b). When issuing the section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously received under EAJA and send Plaintiff's attorney the balance of \$3,088.52 less any applicable processing fees as allowed by statute. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

DATED: May 20, 2022.

  
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MARCO A. HERNÁNDEZ  
United States District Judge